

In re: Lancaster Auto Sales LLC, and Daniel C. Fournier,  
Respondents

Case No.: 14-058

NOTICE OF ORDER TO SHOW CAUSE FOR LICENSE SUSPENSION OF

RESPONDENT LANCASTER AUTO SALES LLC'S

NEW HAMPSHIRE RETAIL SELLER LICENSE

("ORDER")

1. This Order commences an adjudicative proceeding under the provisions of RSA Chapter 361-A (including RSA 361-A:3,I through IV, RSA 361-A:5,IV, and RSA 361-A:11,I through VIII) and RSA Chapter 541-A.
2. The Commissioner may issue an order requiring Respondents to show cause why the license should not be suspended. RSA 361-A:3,I and I-a(e).
3. The Department reserves its right pursuant to RSA 361-A:5,IV to amend this Order or issue or rescind such orders as are reasonably necessary to carry out the provisions of RSA Chapter 361-A.

RESPONDENTS

4. Lancaster Auto Sales LLC ("Respondent Lancaster Auto") is a limited liability company duly formed in the State of New Hampshire on May 2, 2008 with a principal office location in Lancaster, New Hampshire.

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- Lancaster Auto has been licensed with the New Hampshire Banking Department ("Department") as a New Hampshire Retail Seller since January 4, 2011. Respondent Lancaster Auto is a Retail Seller and a Person. RSA 361-A:1,VIII and XII.
5. Daniel C. Fournier ("Respondent Fournier") is the 100% direct owner, control person and Member of Respondent Lancaster Auto. Respondent Fournier is a Control person (RSA 361-A:1,III-b), a Direct Owner (RSA 361-A:1,III-d), a Principal (RSA 361-A:1,VIII-b), and a Person (RSA 361-A:1,VIII).
  6. The above-named Respondents are hereinafter collectively known as "Respondents."

**RIGHT TO REQUEST A HEARING**

7. Respondents each have a right to request a hearing on this Order. "A hearing, if requested shall be scheduled not later than 10 calendar days after the written request for such hearing is received by the commissioner. . . ." RSA 361-A:3,I and I-a. If the Respondents "fail[]" to request a hearing within 30 calendar days of receipt or valid delivery of the order and no hearing is ordered by the commissioner, then such person shall be deemed in default, and the order shall, on the thirty-first day, become

- permanent, and shall remain in full force and effect until and unless later modified or vacated by the commissioner, for good cause shown." Id.
8. If any person fails to appear at the hearing, such person shall be deemed in default, and the Order shall become permanent, all allegations may be deemed true, and shall remain in full force and effect until modified or vacated by the Commissioner for good cause shown. 541-A:31,V(a) and JUS 810.02.
  9. A default herein may result in suspension of Respondents' New Hampshire Retail Seller license.

**STATEMENT OF ALLEGATIONS**

10. On April 24, 2014, the State of New Hampshire Department of Safety, Division of Motor Vehicles ("DMV"), indefinitely suspended Respondent Lancaster Auto's New Hampshire Dealer license for filing incomplete titles through the DMV on seven vehicles Respondent sold.
11. RSA 361-A:3,I-a(e) states the commissioner may, by order, suspend Respondents' New Hampshire Retail Seller license if Respondents are the subject of an order entered within the past 5 years by the State of New Hampshire which suspended Respondents' license.
12. Pursuant to RSA 361-A:3,I-a(e), the Department



